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TIFFANY & BOSCO
CAMELBACK ESPLANADE II, THIRD FLOOR
2525 EAST CAMELBACK ROAD
PHOENIX, AZ 85016

EXAMINER	
SALIARD, SHANNON S	

ART UNIT	PAPER NUMBER
3628	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

lm@tblaw.com

Office Action Summary	Application No.	Applicant(s)	
	10/087,193	SHOEN ET AL.	
	Examiner	Art Unit	
	SHANNON S. SALIARD	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 March 2010*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3 and 5-30* is/are pending in the application.

4a) Of the above claim(s) *3,5 and 26-29* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 2, 6-25, and 30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Status of Claims

1. Applicant has amended claims 2, 13-15, and 17. Claim 4 has been cancelled. Claims 3, 5, and 26-29 have been withdrawn. No claims have been newly added. Thus, claims 1, 2, 6-25, and 30 remain pending and are presented for examination.

Response to Arguments

2. Applicant's concerns regarding the drawings have been considered. The Examiner agrees to hold the objection to the drawings in abeyance.

3. Applicant's arguments filed 29 March 2010, with respect to the rejections of claims 13-15 and 17-20 under 35 U.S.C. §112, Second Paragraph, have been fully considered and are persuasive. Thus, the rejections of claims 13-15 and 17-20 under 35 U.S.C. §112, Second Paragraph has been withdrawn.

4. Applicant's arguments filed 29 March 2010, with respect to the rejections of claims 1, 2, 6-25, and 30 under 35 U.S.C. § 103 (a) have been fully considered but they are not persuasive.

5. Applicant argues, with respect to the rejections of claims 1, 2, 6-25, and 30 under 35 U.S.C. § 103 (a), "Applicant incorporates by reference herein the previous arguments made in the prior responses to distinguish the Hafen reference and other cited art of record. Thus, Hafen fails to teach, advise, or suggest one or more missing claimed elements." Examiner disagrees. See Examiner's previous Response to Arguments in the Office Action dated 30 November 2009.

Response to Amendment

6. The declaration filed on 29 March 2010 under 37 CFR 1.131 has been considered but is ineffective to overcome the Hafen (U.S. Publication 2003/0023453) reference.

7. The evidence submitted is insufficient to establish a reduction to practice of the invention in this country or a NAFTA or WTO member country prior to the effective date of the Hafen (U.S. Publication 2003/0023453) reference. "In an interference proceeding, a party seeking to establish an actual reduction to practice must satisfy a two-prong test: (1) the party constructed an embodiment or performed a process that met every element of the interference count, and (2) the embodiment or process operated for its intended purpose." *Eaton v. Evans*, 204 F.3d 1094, 1097, 53 USPQ2d 1696, 1698 (Fed. Cir. 2000). The same evidence sufficient for a constructive reduction to practice may be insufficient to establish an actual reduction to practice, which requires a showing of the invention in a physical or tangible form that shows every element of the count. *Wetmore v. Quick*, 536 F.2d 937, 942, 190 USPQ 223, 227 (CCPA 1976). **For an actual reduction to practice, the invention must have been sufficiently tested to demonstrate that it will work for its intended purpose, but it need not be in a commercially satisfactory stage of development**. >See, e.g., *Scott v. Finney*, 34 F.3d 1058, 1062, 32 USPQ2d 1115, 1118-19 (Fed. Cir. 1994)(citing numerous cases wherein the character of the testing necessary to support an actual reduction to practice varied with the complexity of the invention and the problem it

solved).< If a device is so simple, and its purpose and efficacy so obvious, construction alone is sufficient to demonstrate workability. *King Instrument Corp. v. Otari Corp.*, 767 F.2d 853, 860, 226 USPQ 402, 407 (Fed. Cir. 1985).... **(To establish an actual reduction to practice of an invention directed to a method of making a product, it is not enough to show that the method was performed. "[S]uch an invention is not reduced to practice until it is established that the product made by the process is satisfactory, and [ ] this may require successful testing of the product.")<**., see MPEP 2183.08 (II). In this case, although the Applicant has provided a user manual containing the claimed subject matter, the Applicant has not provided any evidence (i.e., statements or documents) that the system operated as intended. Thus, the evidence provided does not support an actual reduction to practice of the claimed subject matter.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. **Claims 1, 6-8, 21, 22, 24, and 30** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hafen et al [US 2003/0023453].

As per **claims 1 and 30**, Hafen et al discloses an automated self-storage management system for enabling a user to conduct self-storage transactions [Abstract], the system comprising:

a business network of a plurality of self-storage facilities [0040-0042; Fig. 1; 0067], wherein the user is personnel of each self-storage facility and uses the business network to access inventory information and customer information of the plurality of self-storage facilities to generate reports for managing the operation of each self-storage facility [0063; 0064; 0068];

a server having a room inventory database and accessible to the user via a computer-terminal coupled to the server, wherein the user inputs the inventory information into the room inventory database via the computer-terminal and an inventory information capture and the user accesses the inventory information pertaining to self-storage units located in the plurality of self-storage facilities of the business network [0067; 0093];

the server accessible to the user via the computer-terminal coupled to the server, wherein the user inputs the customer information into the server via the computer terminal and a customer information capture and the user access the customer information pertaining to customers of the plurality of self-storage facilities of the business network [0078; 0099]; and

the server having a reporting feature in communication with the inventory information capture and the customer information capture and accessible to the user via the computer- terminal coupled to the server, via the reporting feature, wherein the user

extracts and analyzes the inventory information from the room inventory database pertaining to self-storage units located in the plurality of self storage facilities of the business network, via the reporting feature, wherein the user extracts and analyzes the customer information from the server, and via the reporting feature, wherein the user generates reports using the analysis of the inventory information and the customer information for managing the operation of the storage facility [0063; 0064; 0068; 0082; 0111].

Hafen et al does not explicitly disclose that the reports include reports for revenue, unit availability, reservations, open contracts, rent rolls and credit card information. However, the difference between reports and reports for revenue, unit availability, reservations, open contracts, rent rolls, and credit card information are only found in the non-functional data contained within the report. The reports contain information which qualify as "descriptive material" since it is directed to the content of data, not structure, or an action or step. Further, the server generate the reports, however, the reports will be generated the same regardless of what data is contained within the report. Therefore, the system has not changed and as such the specific interpretation of the reports generated by the reporting feature does patentably distinguish the claimed invention, see *In re Ngai*, 70 USPQ2d 1862 (CAFC 2004); *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994). Therefore, it would also have been obvious to a person of ordinary skill in the art at the time of applicant's invention to

provide any type of report in the system taught by Hafen et al because the subjective interpretation of the reports does not patentably distinguish the claimed invention.

As per **claim 6**, Hafen et al further discloses wherein the customer information capture includes an authorized access identifier [0099].

As per **claim 7**, Hafen et al does not explicitly disclose wherein the customer information capture includes an emergency contact identifier. However, Hafen et al discloses collecting contact information from a customer [0098; 0099]. Although, Hafen does not explicitly disclose that the contact information is for an emergency it is obvious that since the customer is the user of the storage facility, if something of an emergency nature were to occur, the contact information of that customer would be used to notify the customer. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Hafen et al to include wherein the customer information capture includes an emergency contact identifier to facilitate retrieval of pertinent information.

As per **claim 8**, Hafen et al further discloses wherein the customer information capture includes a payment history [0098].

As per **claim 21**, Hafen et al further discloses comprising a letter generation feature [0104; 0105].

As per **claim 22**, Hafen et al further discloses wherein upon occurrence of a predetermined criteria, the system generates a customer letter [0104].

As per **claim 24**, Hafen et al further discloses wherein the letter pertains to a rate increase [0097].

10. **Claims 2, 9, 10, 16, 17, 20, and 31** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hafen et al [US 2003/0023453] in view of McCarty et al [US 5,946,660].

As per **claim 2**, Hafen et al discloses an automated self-storage management system for enabling a user to conduct self-storage transactions [Abstract], the system comprising:

a business network of a plurality of self-storage facilities [0040-0042; Fig. 1; 0067], wherein the user is personnel of each self-storage facility and uses the business network to access inventory information and customer information of the plurality of self-storage facilities to generate reports for managing the operation of each self-storage facility [0063; 0064; 0068];

a server using having a room inventory database and accessible to the user via a computer-terminal coupled to the server, wherein the user inputs the inventory information into the room inventory database via the computer-terminal and an inventory information capture and the user accesses the inventory information pertaining to self-storage units located in the plurality of self-storage facilities of the business network [0063; 0064; 0068];

the server using a customer information capture in communication with the inventory information capture, accessible to the user via the computer-terminal coupled

to the server, and having information pertaining to customers of the plurality of self-storage facilities of the business network [0063; 0064; 0068; 0082; 0111];

wherein one or both of the inventory information capture and customer information capture include information for managing the operation of the plurality of self-storage facilities [0063; 0064; 0068; 0082; 0111].

Hafen et al does not explicitly disclose wherein the information includes information on revenue, cash summaries, unit availability, facility utilization, reservations, open contracts, rent rolls and credit card information. However, the difference between information and information on revenue, cash summaries, unit availability, facility utilization, reservations, open contracts, rent rolls and credit card information are only found in the non-functional data contained within the information capture. The information capture contains information which qualify as "descriptive material" since it is directed to the content of data, not structure, or an action or step. However, the information capture will operate the same regardless of what data is contained within the capture. Therefore, the system has not changed and as such the specific interpretation of the information captured by the information capture does patentably distinguish the claimed invention, see *In re Ngai*, 70 USPQ2d 1862 (CAFC 2004); *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994). Therefore, it would also have been obvious to a person of ordinary skill in the art at the time of applicant's invention to provide any type of information in the system taught by Hafen et al because the

subjective interpretation of the information does not patentably distinguish the claimed invention.

Hafen et al does not disclose the server having a rental transaction feature in communication with the inventory information capture and customer information capture and accessible to the user via the computer-terminal coupled to the server, via the rental transaction feature, wherein the user creates a rental agreement using the inventory information and the customer information, and wherein the rental agreement involves a plurality of self-storage units. However, McCarty et al discloses a rental transaction feature in communication with the inventory information capture and customer information capture, wherein the rental transaction feature creates a rental agreement using information from the inventory information capture and the customer information capture, and wherein the rental agreement involves a plurality of self-storage units [col 6, lines 37-42; Col 5, lines 56-62; col 8, lines 11-27; Fig. 6]. It would have been obvious to one of ordinary skill in the art to include in the storage rental system of Hafen et al the ability to access a rental agreement as taught by McCarty et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per **claim 9**, Hafen et al does not disclose wherein the customer information capture includes a credit card identifier. However, McCarty et al discloses wherein the customer information capture includes a credit card identifier [col 8, lines 8-11; col 5,

lines 10-12]. It would have been obvious to one of ordinary skill in the art to include in the storage rental system of Hafen et al wherein the customer information capture includes a credit card identifier as taught by McCarty et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per **claim 10**, Hafen et al does not disclose wherein the plurality of storage units comprises a first storage unit and a second storage unit. However, McCarty et al discloses wherein the plurality of storage units comprises a first storage unit and a second storage unit [col 8, lines 1-3], an automatic payment feature applied to the first storage unit [col 8, lines 6-12] and an invoicing feature applied to the second storage unit [col 11, lines 15-28]. It would have been obvious to one of ordinary skill in the art to include in the storage rental system of Hafen et al wherein an automatic payment feature is applied to the first storage unit and an invoicing feature is applied to the second storage unit as taught by McCarty et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per **claim 16**, Hafen et al does not disclose wherein the inventory information capture comprises a map. However, McCarty et al f discloses wherein the inventory information capture comprises a map [col 9, lines 55-56]. It would have been obvious to one of ordinary skill in the art to include in the storage rental system of Hafen et al

wherein the inventory information capture comprises a map as taught by McCarty et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per **claim 17**, Hafen et al does not disclose wherein the reporting feature comprises a receipt for self-storage transactions. However, McCarty et al discloses wherein the reporting feature comprises a receipt for self-storage transactions [col 6, lines 37-42]. It would have been obvious to one of ordinary skill in the art to include in the storage rental system of Hafen et al wherein the reporting feature comprises a receipt for self-storage transactions as taught by McCarty et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per **claim 20**, Hafen et al further discloses comprising a communication feature configured to allow communication between users [Fig. 1].

As per **claim 31**, Hafen et al discloses an automated self-storage management system for enabling a user to conduct self-storage transactions [Abstract], the system comprising:

a business network of a plurality of self-storage facilities [0040-0042; Fig. 1; 0067], wherein the user is personnel of each self-storage facility and uses the business

network to access inventory information and customer information of the plurality of self-storage facilities to generate reports for managing the operation of each self-storage facility [0063; 0064; 0068];

a server using an inventory information capture having a room inventory database and accessible to the user via a computer-terminal coupled to the server, wherein the room inventory database includes information pertaining to self-storage units located in the plurality of self-storage facilities of the business network [0067; 0093];

the server using a customer information capture in communication with the inventory information capture, accessible to the user via the computer-terminal coupled to the server, and having information pertaining to customers of the plurality of self-storage facilities of the business network [0078; 0099]; and

the server using a reporting feature in communication with the inventory information capture and the customer information capture and accessible to the user via the computer- terminal coupled to the server, wherein the reporting feature extracts and analyzes information from the room inventory database pertaining to self-storage units located in the plurality of self storage facilities of the business network and extracts and analyzes information from the customer information capture pertaining to customers and generates reports for managing the operation of the storage facility [0063; 0064; 0068; 0082; 0111].

Hafen et al does not explicitly disclose that the reports include reports for revenue, unit availability, reservations, open contracts, rent rolls and credit card

information. However, the difference between reports and reports for revenue, unit availability, reservations, open contracts, rent rolls, and credit card information are only found in the non-functional data contained within the report. The reports contain information which qualify as "descriptive material" since it is directed to the content of data, not structure, or an action or step. Further, the server generate the reports, however, the reports will be generated the same regardless of what data is contained within the report. Therefore, the system has not changed and as such the specific interpretation of the reports generated by the reporting feature does patentably distinguish the claimed invention, see *In re Ngai*, 70 USPQ2d 1862 (CAFC 2004); *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994). Therefore, it would also have been obvious to a person of ordinary skill in the art at the time of applicant's invention to provide any type of report in the system taught by Hafen et al because the subjective interpretation of the reports does not patentably distinguish the claimed invention.

Hafen et al does not disclose the server using a rental transaction feature in communication with the inventory information capture and customer information capture and accessible to the user via the computer-terminal coupled to the server, wherein the rental transaction feature creates a rental agreement using information from the inventory information capture and the customer information capture, and wherein the rental agreement involves a plurality of self-storage units. However, McCarty et al discloses a rental transaction feature in communication with the inventory information capture and customer information capture, wherein the rental transaction feature

creates a rental agreement using information from the inventory information capture and the customer information capture, and wherein the rental agreement involves a plurality of self-storage units [col 6, lines 37-42; Col 5, lines 56-62; col 8, lines 11-27; Fig. 6]. It would have been obvious to one of ordinary skill in the art to include in the storage rental system of Hafen et al the ability to access a rental agreement as taught by McCarty et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

11. **Claim 11** is rejected under 35 U.S.C. 103(a) as being unpatentable over Hafen et al [US 2003/0023453] in view of McCarty et al [US 5,946,660] as applied to claim 2 above, and in further view of Vasquez et al [article entitled Housing Crunch…Leave Area] .

As per **claim 11**, Hafen et al does not disclose comprising a transfer feature that transfers a customer from an occupied self-storage unit to a vacant self-storage unit. However, Vasquez et al discloses transferring a customer from an occupied apartment (i.e., rental unit) to a vacant apartment [pg. 1, para. 3]. Vasquez shows that transferring from one rental unit to another was known in the prior art at the time of the invention. It would have been obvious to one of ordinary skill in the art at the time of the invention to have transferred a user from one rental unit to another by including a transfer means as

in Vasquez in the system executing the method of Hafen et al. As in Vasquez, it is within the capabilities of one of ordinary skill in the art to install associated software for transferring to Hafen's personal computer with the predicted result of meeting the customer's satisfaction requirements as needed in Hafen et al.

12. **Claim 12** is rejected under 35 U.S.C. 103(a) as being unpatentable over Hafen et al [US 2003/0023453] in view of McCarty et al [US 5,946,660] and Vasquez et al [article entitled Housing Crunch…Leave Area] as applied to claim 11 above, and further in view of Official Notice and Inomata [US 6,999,825].

As per **claim 12**, Hafen et al does not disclose comprising a fee calculator that calculates a prorated rent for the occupied room and a prorated rent for the vacant room. However, Inomata discloses a fee calculator for rental of a storage unit [col 13, lines 19-26]. Furthermore, the Examiner takes Official Notice that it is old and well known in the rental industry at the time of the invention to pay only for the time in which you occupy a room. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify !he invention of Hafen et al to include comprising a fee calculator that calculates a prorated rent for the occupied room and a prorated rent for the vacant room so that a user is not overcharged.

13. **Claim 13** is rejected under 35 U.S.C. 103(a) as being unpatentable over Hafen et al [US 2003/0023453] in view of Taylor [US 2002/0010601].

As per **claim 13**, Hafen et al does not disclose wherein the reporting feature includes an audit report. However, Taylor discloses a method of renting a unit wherein an audit report is generated [0043].It would have been obvious to one of ordinary skill in the art to include in the storage rental system of Hafen et al the ability to generate an audit report as taught by Taylor since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

14. **Claims 14 and 18** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hafen et al [US 2003/0023453] in view of Gale et al [US 2001/0025250].

As per **claim 14**, Hafen et al does not disclose wherein the reporting feature includes a cash intake report. However, Gale et al discloses a storage rental system that generates a cash intake report [0117; 0126]. It would have been obvious to one of ordinary skill in the art to include in the storage rental system of Hafen et al the ability to generate an cash intake report as taught by Gale et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per **claim 18**, Hafen et al does not disclose wherein the reporting feature comprises a vacancy report. However, Gale et al discloses a storage rental system that

generates a vacancy report [0128]. It would have been obvious to one of ordinary skill in the art to include in the storage rental system of Hafen et al the ability to generate an vacancy report as taught by Gale et al since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

15. **Claim 15** is rejected under 35 U.S.C. 103(a) as being unpatentable over Hafen et al [US 2003/0023453] in view of Gross [US 6,721,716].

As per **claim 15**, Hafen et al does not disclose wherein the reporting feature comprises data configured to be exported to an external financial database. However, Gross discloses exporting financial data from rental transactions [col 22, lines 21-27]. It would have been obvious to one of ordinary skill in the art to include in the storage rental system of Hafen et al the ability to export data to an external financial database as taught by Gross since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

16. **Claim 19** is rejected under 35 U.S.C. 103(a) as being unpatentable over Hafen et al [US 2003/0023453] in view of Brady [US 2004/0088318].

As per **claim 19**, Hafen et al does not disclose a facility utilization report including facility revenue and occupancy information for evaluating the effect of a rental rate change on facility revenue. However, Brady discloses a unit rental system which generates a report including facility revenue and occupancy information [0108]. It would have been obvious to one of ordinary skill in the art to include in the storage rental system of Hafen et al the ability to export data to an external financial database as taught by Gross since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable. Further, the recited statement of intended use, for evaluating the effect of a rental rate change on facility revenue, does not patentably distinguish the claimed invention. A claim containing a "recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus" if the prior art apparatus teaches all the structural limitations of the claim. *Ex parte Masham,* 2 USPQ2d 1647 (Bd Pat. App. & Inter. 1987).

17. **Claim 23** is rejected under 35 U.S.C. 103(a) as being unpatentable over Hafen et al [US 2003/0023453] as applied to claim 22 above, and further in view of Official Notice.

As per **claim 23**, Hafen et al does not disclose wherein the letter pertains to an overdue fee. However, Hafen et al et al discloses that a delinquent notice is sent according to a schedule [0104]. However, Hafen et al discloses that a delinquent notice is sent according to a schedule [0104]. Furthermore, the Examiner takes Official Notice that it is old and well known in the art at the time of the invention that a delinquency notice contains an overdue fee. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Hafen et al to include wherein the letter pertains to an overdue fee so that the user is aware of how much he/she is responsible for paying.

18. **Claim 25** is rejected under 35 U.S.C. 103(a) as being unpatentable over Hafen et al [US 2003/0023453] as applied to claim 22 above, and further in view of Petkovsek [US 2002/0111923].

As per **claim 25**, Hafen et al does not disclose wherein the letter pertains to an eviction. However, Petkovsek discloses generating a letter that pertains to an eviction from a rental unit [0047]. It would have been obvious to one of ordinary skill in the art to include in the storage rental system of Hafen et al the ability to generate a letter pertaining to an eviction as taught by Petkovsek since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Conclusion

19. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHANNON S. SALIARD whose telephone number is (571)272-5587. The examiner can normally be reached on Monday - Friday, 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Please address mail to be delivered by the United States Postal Service (USPS) as follows:

Commissioner of Patents and Trademarks

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Or faxed to:

(571) 273-5587 [Informal/ Draft Communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the Customer Service Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314

Shannon S Saliard
Primary Examiner
Art Unit 3628

/Shannon S Saliard/
Primary Examiner, Art Unit 3628